

# **EXHIBIT 15**



DATE: 04/21/08

DEPT. 31

HONORABLE Carl J. West

JUDGE R. Rully

DEPUTY CLERK

HONORABLE

JUDGE PRO TEM

Apr 21 2008  
ELECTRONIC RECORDING MONITOR

S. Zuckerman, C.A.

Deputy Sheriff

W. Oillataguerre, C.S.R.

Reporter

1:30 pm

BC328022

Plaintiff Michael W. Ellison (x)

Counsel Jane Karren Baker (x)

TRANSPORT INS. V.

VS

Defendant Wendy L. Feng (x)

VULCAN MATERIALS

Counsel Donald W. Brown (x)

Cyndie Chang (x)

COMPLEX 1-24-07

Ray L. Wong (x)

See X-Ref BC328022 (Lead)

**NATURE OF PROCEEDINGS:**

**FURTHER STATUS CONFERENCE:**

The Court holds a Further Status Conference this date in open court and on the record with counsel appearing as indicated.

The Court confers with counsel, as fully reflected in the notes of the official Court Reporter, and makes Orders as follows:

**1. Protective Order:**

The parties shall submit to the court a revised stipulation to entry of a protective order, on or before May 2, 2008.

**2. Threshold Issue Determination:**

a. The parties shall prepare and submit a stipulation, on or before May 2, 2008, tendering the issue of the effect of the Good Faith Order in the Modesto litigation on undisputed facts and acknowledging that the issue may be determined as a matter of law.

b. The Court sets the following briefing and hearing schedule on the issue, subject to the filing of the requested stipulation:

DATE: 04/21/08

DEPT. 311

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R. Rully

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Counsel

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**NATURE OF PROCEEDINGS:**

i. Vulcan shall serve and file its Opening Brief on or before May 16, 2008.

ii. Insurers' Opposition Briefs shall be served and filed on or before June 27, 2008.

iii. Vulcan's Reply Brief shall be served and filed on or before July 18, 2008.

iv. Hearing Re: Determination of Threshold Issues is set for July 29, 2008, at 1:30 P.M., in Department CCW-311.

3. Discussions of Counsel Pursuant to the Court's Meet and Confer Requirements:

Counsel complying with the Court's meet and confer requirements shall not be deemed to have waived any attorney-client privilege and counsels' discussions shall be deemed subject to the litigation privilege. This Order is entered to facilitate counsel's efforts to provide stipulations and agreements requested by the Court to assist the Court in the management of this litigation.

4. Further Status Conference and Joint Statement:

a. The Court sets a Further Status Conference for July 29, 2008, at 1:30 P.M., in Department CCW-311,

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**NATURE OF PROCEEDINGS:**

to be held concurrently with the Hearing Re:  
Determination of Threshold Issues.

b. In anticipation of the July 29, 2008 Further  
Status Conference the parties shall serve and file a  
Joint Statement on or before July 23, 2008.

The Court requests that the parties file an  
original and one "courtesy" copy of all Joint  
Statements/Status Reports ordered by the Court and  
an original and two "courtesy" copies of all motions  
and briefing pertaining to motions, directly in  
department CCW-311..

**ADDITIONAL PERSONAL APPEARANCES BY COUNSEL:**

Nicholas R. Andrea (x)

Andrew R. McCloskey (x)

Charles H. Diaz (x)

Lawrence A. Tabb (x)

Michael J. Leahy (x)

Richard E. Wirick (x)

Donald L. Mabry (x)

**TELEPHONIC APPEARANCES BY COUNSEL:**

Jeffrey C. Burt (x)

Sherry Pantages (x)

John C. Conway (x)

Yvette Roland (x)

Mark Froelich (x)

Brian W. Walker (x)

Beth Kahn (x)

Stephanie Walker (x)

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**NATURE OF PROCEEDINGS:**

Pursuant to the Court's Order Authorizing Electronic Service, a true and correct copy of this Minute Order is served upon the parties to the above-entitled case this date by posting a copy of the Minute Order on the Lexis/Nexis File & Serve website.